THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.126 of 1999

Dated:26.09.2007

Between

Keshab Llal Das

..Petitioner

and

Assistant Manager, Express Publications (Madhurai) Ltd., Visakhapatnam

…Respondent

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.126 of 1999

ORDER:

The only point that arises for consideration in this writ petition is whether the very petition under Article 226 of the Constitution of India is maintainable?

Admittedly, the respondent is a private organization i.e., Express Publications (Madhurai) Limited, Visakhapatnam. The petitioner said to have been working as Chief Editor and after concluding some disciplinary proceedings against him, he was reverted to the post of Senior Sub Editor by order dated 23.11.1998. Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioner strenuously contended that the respondent-Organization has Certified Standing Orders dated 25.4.1986

governing the service conditions of its employees. Instead of applying Certified Standing Orders, respondent applied Model Standing Orders. The Certified Standing Orders do not empower the respondent-Organization to revert the petitioner from the post of Chief Editor to that of Senior Sub Editor.

I am of the opinion that firstly the respondent is not a State within the meaning of Article 12 of the Constitution of India. Mere application of Model Standing Orders instead of Certified Standing Orders does not enable the petitioner to invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. Writ petition is not maintainable and it is misconceived.

Accordingly, the writ petition is dismissed. No costs.

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26-09-007

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